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THE

CALIFORNIA CASE AND CITATION INDEX

A DOUBLE ALPHABETICAL INDEX TO ALL CASES REPORTED IN THE CALIFORNIA REPORTS, FROM VOL. 1 TO VOL. 113 INCLUSIVE.

ALSO, AN INDEX TO ALL CITATIONS OF SUCH CASES, MADE IN SAID REPORTS, INDICATING THE PRESENT STANDING OF THE CASES CITED.

COMPILED BY

M. C. HESTER,

OF THE LOS ANGELES BAR.

CHAS. W. PALM CO.,
LOS ANGELES.
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PREFACE.

The compiler of this INDEX has learned from a long practice that it is not always so important to the lawyer to know the law as it is to be able to find it when he needs it. Any work that saves the practitioner labor and time in finding his authorities, is to that extent of value to him.

It is the design of the CALIFORNIA CASE AND CITATION INDEX to help the practitioner to find any case that has been decided and reported by the Supreme Court of the State; to point out to him where such case has been cited in subsequent decisions by that court, and to indicate to him whether or not such case is yet authoritative. With these ends in view, the INDEX is made to contain the following features:

1. A complete index, to both plaintiffs and defendants, to all cases that have been reported in the one hundred and thirteen California Reports.

2. A carefully prepared and accurate index to all subsequent citations of such cases, whether made in the ruling opinions of the said court or in the concurring or dissenting opinions of its individual justices.

3. A simple method, readily indicating to the eye, by the character of the figures in which the citations are given, whether the case cited is yet authoritative, or has been impaired to any extent short of being absolutely overruled, or has been expressly overruled. Thus, if the case is yet fully authentic, the citation is given in plain figures; if it has been modified, limited, questioned or criticised, the citation figures are italics; if it has been overruled, the citations are given in full-faced figures.

4. Where the citation is in any sense adverse to the case cited, the particular syllabus affected by the citation, if that syllabus can be ascertained, is indicated by small superior figures at the right of the citation figures.

The citations of each case are placed under the title of such case, so that the eye can take in at one glance the title of the case, the number of the volume and of the pages where it is reported,

the volumes and pages where it has been subsequently cited, and the present standing of the case with the Supreme Court of the state.

The following examples, copied from the INDEX, will illustrate its several features:

"Brichman v. Ross, 67/601-607: 68–*487*[1], *488*[1], **490**[1]; 85–195; 89–**506**[5]; 91–315, 316, 491; 113–363."

"Ross, Brichman v., 67/601."

The first example is taken from the plaintiffs' index, and shows the title of the case, the volume, 67 Cal., and the first and last pages, 601 and 607, where the case is reported. The next figures indicate that the case of *Brichman v. Ross* is cited in 68 Cal., at pages 487, 488 and 490. On the pages 487 and 488, the indications are that the first syllabus of the case cited is to some degree affected by the citation, but short of being overruled. The citation on page 490 shows that the first syllabus of the cited case is overruled. The citation in 89 Cal., at page 506, shows that the fifth syllabus is overruled. The other citations do not impair the original case.

The second illustration is taken from the defendants' index, and shows simply the volume and page where the case of *Brichman v. Ross* is reported.

It is proper to state that the small superior figures, intended to indicate, as far as practicable, the syllabi affected by the citation, cannot in all cases be strictly relied upon as serving that purpose, for the reason that the syllabus noted often covers two or three legal propositions, while the citation refers to only one, and sometimes the proposition or doctrine affected by the citation is not mentioned in any syllabus. But with these suggestions, the figures indicating the syllabi of the cited cases will be found useful.

Of course, the value of such a work as this depends almost wholly upon its completeness and accuracy. The compiler, realizing this fact, has spared no labor, time, or patience in his efforts to make the INDEX as nearly perfect in these particulars as is practicable. He has turned every page of the one hundred and thirteen California Reports, and carefully examined and noted every citation.

M. C. HESTER.

LOS ANGELES, Cal., May, 1897.

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NOTE—As a great many copies of the Case and Citation Index were delivered without supplement Vol. 114 and 115 we have included both in this supplement. Preserve this supplement, as a complete supplement embracing a number of volumes will be exchanged for the separate supplements in the future without extra cost. Will be exchanged now for paper gummed, if desired.

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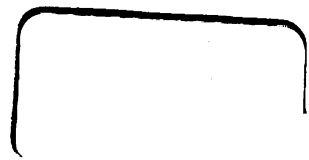

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